

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service - Agricultural Marketing Department - Departmental proceedings initiated against Smt. R. Jayalakshmi, the then Selection Grade Secretary, AMC, Kurnool and presently working as Selection Grade Secretary, AMC, Penugonda, West Godavari District under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 read with 172 of A.P. (AP&LS) Markets Rules, 1969 - Article of Charges - Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.46

Dated:13.01.2023

Read:

E-file No.AGC05-16021/48/2021-DISCPLR SEC-MRKT (Computer
No: 1512750), dated:17-08-2022 & 05-01-2023.

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ORDER:

It is proposed to hold an inquiry against Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool and presently working as Selection Grade Secretary, Agricultural Market Committee, Penugonda, West Godavari District in accordance with the procedure laid down under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read 172 of A.P. (AP&LS) Markets Rules, 1969.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statements of article of charges(Annexure-I & II). A list of documents by which and a list of witnesses by whom the article of charges are proposed to be sustained are also enclosed(Annexure-III & IV).

3. Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool and presently working as Selection Grade Secretary, Agricultural Market Committee, Penugonda, West Godavari District is directed to submit her written statement of defence within 15 days from the receipt of this order.

4. Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool and presently working as Selection Grade Secretary, Agricultural Market Committee, Penugonda, West Godavari District is informed that an inquiry will be held only in respect of those article of charges that are not admitted. She should, therefore, specifically admit or deny the article of charges.

5. Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool and presently working as Selection Grade Secretary, Agricultural Market Committee, Penugonda, West Godavari District is further informed that if she does not submit her written statement of defence on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

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6. Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool and presently working as Selection Grade Secretary, Agricultural Market Committee, Penugonda, West Godavari District is informed that Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 stipulates that under which no circumstances, Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interests in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool and presently working as Selection Grade Secretary, Agricultural Market Committee, Penugonda, West Godavari District is aware of such representation and that it has been made at her instance and action will be taken against her for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHARA PRADESH)

**CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Smt. R. Jayalakshmi, the then Selection Grade Secretary,
AMC, Kurnool and presently working as Selection Grade Secretary, AMC,
Penugonda, West Godavari District.

(Through : The Commissioner & Director of Agricultural Marketing, A.P.,
Guntur)

Copy to:-

The Commissioner & Director of Agricultural Marketing, A.P., Guntur (with a
request to serve the order on the individual and send the served copy with
dated signature of the Charged Officer to Government)

✓ SF/SC.

//FORWARDED :: BY ORDER//


SECTION OFFICER


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ANNEXURE-I**STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SMT. R. JAYALAKSHMI, THE THEN SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, KURNOOL AND PRESENTLY WORKING AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, PENUGONDA, WEST GODAVARI DISTRICT.****ARTICLE OF CHARGE-1**

"That Smt. R. Jayalakshmi, while working as Selection Grade Secretary, Agricultural Market Committee, Kurnool has committed the following financial irregularities:-

1. She has willfully allowed the unauthorized construction of (4) Nos. of RCC dustbins instead of 12 Nos. of RCC dustbins sanctioned by the Commissioner & Director of Agricultural Marketing, A.P., Guntur and payment was made duly deviating from the agreement conditions and without seeking prior approval further payment was made after lapse of agreement period without intimation (or) approval of higher authorities.
2. She has willfully allowed the renovation work of repairs to one old toilet block in the name of the construction of new toilet block and draw the bill for an amount of Rs.8,35,744/- for the above irregular constructions without maintaining any note/current files and without the approval of the competent authority i.e. Commissioner & Director of Agricultural Marketing, A.P., Guntur and also failed to obtain the approval of Market Committee duly suppress the issue.

Thus, it shows her gross negligence towards her official duties and lack of devotion to duty and thus violated the Rule 3 of A.P.Civil Services (Conduct) Rules 1964 and also violated the Rule 31 of A.P.(AP&LS) Markets Rules, 1969".

ARTICLE OF CHARGE-2

"That Smt. R. Jayalakshmi while working as Selection Grade Secretary, Agricultural Market Committee, Kurnool has committed financial irregularities by drawing miscellaneous bills to the tune of Rs.13,73,061/- and utilized without maintenance of proper records and without approval from Chairman, Agricultural Market Committee in guise of administrative delay for the period from August, 2021 to December, 2021.

Thus, it shows her gross negligence towards her official duties, arrogance and lack of devotion to duty and thus violated the Rule 3 of A.P. Civil Services (Conduct) Rules 1964 and violated the Rule 31 of A.P.(AP&LS) Markets Rules, 1969.

ARTICLE OF CHARGE-3

That Smt. R. Jayalakshmi while working as Selection Grade Secretary, Agricultural Market Committee, Kurnool has committed financial irregularities by drawing bills in respect of maintenance of Generator and maintenance of Tractor without maintaining proper

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records and log books. The also committed financial irregularities amount to a tune of Rs.50,000/- to 1,00,000/- towards yard and jungle clearance and misappropriated the same without taking up proper disposed of garbage.

Thus, it shows her gross negligence towards her official duties, arrogance and lack of devotion to duty and thus violated the Rule 3 of A.P. Civil Services (Conduct) Rules 1964 and violated the Rule 31 of A.P.(AP&LS) Markets Rules, 1969".

**CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT**

ANNEXURE-II

**STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR
IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SMT. R.
JAYALAKSHMI, THE THEN SELECTION GRADE SECRETARY,
AGRICULTURAL MARKET COMMITTEE, KURNOOL AND PRESENTLY
WORKING AS SELECTION GRADE SECRETARY, AGRICULTURAL
MARKET COMMITTEE, PENUGONDA, WEST GODAVARI DISTRICT.**

Imputation of Charge-1:

1. Basing on report of RDDM, Kadapa, the Commissioner & Director of Marketing, Guntur has sanctioned the work of construction of 12 Nos. of RCC dustbins with Rs.6.00 lakhs in the old and new market yard, Kurnool, vide Proc.No.AGCO5-11023/30/2019, dated:19-08-2019.

As seen from the agreement entered between the Contractor and the Executive Engineer(AM), Kadapa, it is observed that, the tender was accepted for Rs.3,99,570-23 towards construction of 12 Nos. of RCC dustbins in the Old and New Market Yard, Kurnool within a period of Two (2) months. Accordingly, agreement was made to that effect on 29-10-2019 between Contractor and Executive Engineer (AM), Kadapa.

During the inspection of RDDM, Kadapa to the Market Yard, Kurnool on 06-06-2022, it is found that, only 4 Nos. of RCC dust bins with different sizes are constructed in the old and new Market Yard, Kurnool. The first and final bill for the said work is generated during October 2021 with net amount of Rs.4,12,518-85 vide CFMS bill No. 2021-1747677, dated:01-12-2021 and payment was succeeded to the Contractor on 07-03-2022.

In view of the above, the following deviations are clearly established.

- It is clearly evident that, without any approval of the Commissioner & Director of Marketing, AP, Guntur / Superintendent Engineer (AM), Guntur/ competent authority, (4) Nos. of RCC dust bins were constructed instead of (12) Nos. of RCC dustbins and payment was made in violation of the sanction orders of the Commissioner & Director of Marketing, AP, Guntur vide Proceedings No.AGCO5-11023/30/2019,

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dated:19-08-2019 Further, it is also in deviation of the agreement entered i.e., completing the work after a lapse of so many months, thereby causing the violation of Rule 31(5) of A.P.(AP&LS) Markets Rules, 1969.

- The first and final bill of the work pertaining to the year 2019 was generated in the month of October 2021. The delay is not justified by Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool.
 - As informed by the present Secretary, Agricultural Market Committee, Kurnool, no note files / records are maintained in respect of the aforesaid work and approval of the Market Committee for payment of the respective bills to the Contractor is not obtained by the then Secretary.
2. Basing on report of RDDM, Kadapa, it is noticed that, the Commissioner & Director of Marketing, AP, Guntur has issued Administrative sanction for Rs.30.00 lakhs towards construction of (3) Nos. of Toilet Blocks and water supply arrangements in the Market Yard, Kurnool, Vide Proc.No.AGCO5-24022/6/2019-ZO-JD-KDP, dated:13-10-2019.

As seen from the agreement entered between the Contractor and Executive Engineer (AM), Kadapa, it is observed that, the tender was accepted for an amount of Rs.21,23,756-25 towards construction of 3 Nos. of Toilet blocks and water supply arrangements in the Market Yard, Kurnool within a period of three (3) months. Accordingly, agreement was effect on 13-11-2019 between contractor and Executive Engineer (AM), Kadapa.

During the inspection of Market Yard, Kurnool on 06-06-2022, it is found that, only (1) No. of toilet block was renovated and one more is at pillar stage. The said work has been delayed abnormally.

Hence, Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool has violated Rule 3 of A.P. Civil Services (Conduct) Rules, 1964 and Rule 31 of A.P. (AP&LS) Markets Rules, 1969 and Article 3, 4, 5 and 273 of A.P. Financial code. Hence the charge.

Imputation of Charge-2:

Basing on report of RDDM, Kadapa it is observed that:-

- Miscellaneous bills to the tune of Rs.13,73,061/- for the period from August, 2021 to December, 2021 have been drawn without approval of Chairman, AMC, Kurnool. Further, the Market Committee, Kurnool has clearly rejected the respective agenda item during its meeting held on 14-03-2022.
- Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool was justifying her irregular withdrawals of Rs. 13,73,061/- by showing the administrative delay in issuance of continuation of Market Committee, Kurnool. But, she has drawn an amount of Rs.9,19,816/- without prior approval of Chairman, AMC, Kurnool during the months from August, 2021 to September, 2021 and during December, 2021, when the Committee was in force.
- No ratification is obtained from the Market committee for the amounts drawn under miscellaneous head even after assumption by the Market Committee till to date.

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- As informed by the present Secretary, AMC, Kurnool, note files with detail noting are not maintained for the said expenditure incurred.

Hence, Smt. R. Jayalakshmi, the then Selection Grade Secretary, Agricultural Market Committee, Kurnool has violated Rule 3 of A.P. Civil Services (Conduct) Rules, 1964 and Rule 31 of A.P. (AP&LS) Markets Rules, 1969 and Article 3,4,5 and 273 of A.P. Financial code. Hence the charge.

Imputation of Charge-3:

Basing on report of RDDM, Kadapa and during the verification of the bills and records pertaining to the maintenance of Generator and Tractor found that:-

- An amount of Rs. 1,73,564/- has been incurred towards Generator maintenance for the period August, 2021 to December, 2021. An amount of Rs.76,590/- was also incurred towards tractor maintenance for the period from August, 2021 to December, 2021.
- The log book maintained is not tallied with the power cut durations when compared to the power cut durations furnished by the AEE, APSPDCL, Kurnool. The power cut duration as per log book is 38:75 Hrs during August, 2021 to December, 2021 whereas, actual power cuts durations during the above period was 16:03 Hrs only, as reported by the Assistant Executive Engineer, B.Road Section, APSPDCL, Kurnool, in respect of Service No.8311302110096 & 8311302009551 during the period from August, 2021 to December, 2021,
- The log book is not maintained properly and the UDC has failed to explain the calculations mentioned in the log book. Hence, it is clearly evident that, the log book maintained for Generator is a FALSE and FABRICATED record.
- Further an amount of Rs.2.20 lakhs was sanctioned under unforeseen head in the budget for the F.Y. 2021-22 of the AMC, Kurnool, as per the explanatory note annexed to the budget copy, but surprisingly the then Secretary, AMC, Kurnool in her written statement has informed that no budget is sanctioned for Tractor maintenance. The reasons for misguiding the enquiry officer are not known.
- Re-appropriation of the funds under different heads has to be done with the permission of the Commissioner & director of Agricultural Marketing, A.P. only, The then Secretary has informed that, she has drawn the amount required for Tractor maintenance and Generator maintenance though no such expenditure is sanctioned in the budget, which is in violation of Rule 83 of A.P. (AP&LS) Markets Rules, 1969.

And Smt. R. Jaya Lakshmi, the then, SGS, AMC, Kurnool has committed Irregular drawl of bills to the tune of Rs.50,000-00 to Rs.1,00,000-00 towards yard cleaning, Jungle clearing without taking up proper disposal of garbage. The same is lifted during February, 2022 & March, 2022 causing additional expenditure to the Market Committee.

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Therefore, it is clearly evident that, expenditure incurred under Generator maintenance head irregularly by producing FALSE and FABRICATED record and thereby, misappropriated Market Committee funds. Thus, Smt. R. Jaya Lakshmi, the then Selection Grade Secretary, AMC, Kurnool has violated Rule 3 of A.P. Civil Services (Conduct) Rules, 1964, Section 14 of A.P. (AP&LS) Markets Act, 1966, Rule 31 of A.P. (AP&LS) Markets Rules, 1969 and Article 3,4,5 and 273 of AP Financial Code. Hence the charge.

**CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT**

ANNEXURE-III

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SMT. R. JAYALAKSHMI, THE THEN SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, KURNOOL AND PRESENTLY WORKING AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, PENUGONDA, WEST GODAVARI DISTRICT.

Letter No. 11/2022, dated:20.06.2022 of the Regional Deputy Director of Marketing, Kadapa.

**CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT**

ANNEXURE-IV

LIST OF WITNESS BY WHOM BY THE ARTICLE OF CHARGES FRAMED AGAINST SMT. R. JAYALAKSHMI, THE THEN SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, KURNOOL AND PRESENTLY WORKING AS SELECTION GRADE SECRETARY, AGRICULTURAL MARKET COMMITTEE, PENUGONDA, WEST GODAVARI DISTRICT.

Smt. P. Lavanya, Regional Deputy Director of Marketing, Kadapa.

**CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT**